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SUBJECT: Goma Report September 11 - MONUC Goes
on the Offensive, CNDP Withdraws

¶1. (SBU) Summary: Reflecting a marked change of MONUC's military posture, Force Commander General Gaye told the facilitation team September 11 that MONUC would use force as necessary to push CNDP back to previous lines. By the end of the day, North Kivu brigade said it had evicted CNDP from two points earlier occupied (Kirotshe and Kayala) to the north and south of previous lines. CNDP declared an immediate and unilateral withdrawal from all positions taken in the past few days. End Summary.

¶2. (SBU) MONUC Force Commander, General Babucar Gaye, present in Goma September 10-11 on a farewell tour, told the facilitation team on the morning of September 11 that MONUC was prepared to use force as necessary to ensure CNDP's withdrawal to previously-held lines. He clarified that use of force by MONUC would not be dependent on such factors as had been present at Nyanzale (pre-existing FARDC battalion headquarters and MONUC base) to justify force. He said that there would be no use of force against FARDC, in the event of FARDC violation of ceasefire or intrusion into agreed buffer zones ("Kabila would immediately send us out of the country"). He cited key factors in this change of policy as being the weakness of the FARDC and the rising anti-MONUC sentiment of the populace, as well as the success of MONUC's firm actions in Nyanzale. Questioned about the FARDC's dispatch of two anti-FDLR battalions trained by MONUC to the area around Kanyabayonga to deal with CNDP, Gaye said that such redeployment by FARDC, while it had negative implications for the operation against FDLR, was a predictable consequence of CNDP's forays so far from its previous lines. (Note: Similarly, MONUC has also been using its companies attached to FARDC's anti-FDLR battalions to reinforce its own positions.)

¶3. (SBU) According to briefings by North and South Kivu brigades, at opening of day September 11 CNDP was significantly present in the area of Kirotshe, where the South African base had been caught in the midst of heavy cross fire between CNDP and Mai Mai Cobra for much of September 10. The towns of Bweramana and Minova, in South Kivu, had suffered intense shelling in the course of September 10, with 500-1000 IDP's pouring into Minova and with even the police and civil administration seeking refuge at the South Kivu brigade base there. The North Kivu brigade helicopter base at Ngungu reported that PARECO had pushed CNDP out of Ngungu, with 5,000 IDPs reaching the base. PARECO/Mai Mai had also attacked the CNDP "at last light" September 10 at Bihambwe, the furthest-west village under CNDP control on the Sake-Masisi road. At opening of September 11 there continued to be a significant presence of CNDP at Kayala, 20 kms. south of Kanyabayonga, and there was also a presence at Kisheshe, a similar distance from the Rutshuru-Kanyabayonga highway at Mabenga. North Kivu brigade confirmed that there had been a CNDP-FDLR skirmish west of Kayala.

¶4. (SBU) Deputy Chief of Staff Col. James Cunliffe briefed the facilitation team at 16:00 September 11. He confirmed that the Force Commander had signed an order earlier in the day for MONUC military to use force as necessary against CNDP and other armed groups (but not FARDC) to force them to return to positions held on

January 23. (Note: It is not clear why the emphasis was on January 23, the date of signature of the Actes d'Engagement in Goma, rather than August 27, the day before the present cycle of military activity.) Cunliffe said that MONUC was elaborating a plan with daily targets of action against the CNDP until it returned to previous positions. MONUC would, he said, use non-lethal means as much as possible. Failing verbal warnings, MONUC would use warning shots and then lethal force. Once CNDP was forced back to its former positions, MONUC military would pursue the second phase with CNDP, i.e., to determine formal buffer zones along the whole of the CNDP periphery. (There are now only three small buffer zones, signed onto by CNDP, at Ngungu, Muheto, and Tongo.)

¶15. (SBU) Cunliffe said that North Kivu brigade had had military contact, including some use of lethal force, during the day with CNDP at two locations, Kirotshe and Kayala, and CNDP had been evicted from these two places. Cunliffe said that MONUC would not reveal its plans for future targeting of CNDP. North Kivu brigade had used BMPs, firing four rounds from their main guns, against CNDP at Kayala. He said that FARDC claimed that there was a column of CNDP moving from the area of Kisheshe by way of Kirumba toward the Rutshuru-Kanyabayonga highway, and North Kivu brigade was now undertaking "heavy patrolling" in the area of Mabenga, including dispatch of two BMPs from Mutabo.

¶16. (SBU) At the end of the day, CNDP under the signature of Laurent Nkunda issued a "Unilateral Withdrawal of the CNDP" (text and translation to follow septel), stipulating that the withdrawal was immediate from all positions taken on all fronts since the resumption of hostilities in the past few days. It warned that CNDP would not tolerate any provocation from FARDC or armed groups, "even

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a single bullet." Note: The formulation, "past few days" ("de ces derniers jours"), is unclear, and may or may not mean the status quo ante August 28. The declaration does not touch on FARDC withdrawal from points it occupied in the Rutshuru corridor buffer zone. CNDP leaves itself room for resumption of hostilities in the event of bad behavior by FARDC, PARECO, or other armed groups. End note.

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